

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION**

CHERYL EDWARDS,)	
)	
Plaintiff,)	
)	
v.)	
)	
VOLVO GROUP NORTH AMERICA,)	
LLC, GLEN THOMAS, individually and)	
in his official capacity, YASHAVI)	
SHANKER, individually and in his official)	
capacity, JOHN ATALLAH, individually)	
and in his official capacity, and LORETTA)	
LOWMAN, individually and in her official)	
capacity,)	
)	
Defendants.)	
_____)	

**DEFENDANT’S NOTICE OF
REMOVAL**

DEFENDANTS’ NOTICE OF REMOVAL

COMES NOW Defendant Volvo Group North America, LLC (“Volvo”), with the consent of the Individual Defendants (GLEN THOMAS, individually and in his official capacity, YASHAVI SHANKER, individually and in his official capacity, JOHN ATALLAH, individually and in his official capacity, and LORETTA LOWMAN, individually and in her official capacity), and timely files this notice of removal of civil action number 2022-CVS-8618 from the General Court of Justice, Superior Court Division for Guilford County, North Carolina to the United States District Court for the Middle District of North Carolina, Greensboro Division, pursuant to 28 U.S.C. § 1441(c).

1. The above referenced civil action was filed on November 15, 2022, in the General Court of Justice, Superior Court Division, County of Guilford, State of North Carolina under the caption Cheryl Edwards v. Volvo Group North America, LLC, Glen Thomas, individually and in

his official capacity, Yashavi Shanker, individually and his official capacity, John Atallah, individually and in his official capacity, and Loretta Lowman, individually and in her official capacity, case number 2022-cvs-8618.

2. Undersigned counsel for Defendants accepted service of the Summons and Complaint on January 11, 2023.

3. Prior to the filing of this Notice of Removal, counsel for Plaintiff has filed a Notice of Voluntary Dismissal which dismisses all claims filed against the Individual Defendants, thereby leaving Volvo as the only Defendant in the case. (See Exhibit A.)

4. This Notice of Removal is timely filed with the Court pursuant to 28 U.S.C. § 1446(b).

5. Plaintiff in her Complaint has asserted Federal gender discrimination and retaliation claims alleging violation of U.S.C. § 2000e, as well as state law claims for violation of the Equal Employment Practices Act, Negligent Retention of Employment, Sexual Harassment Based on Gender, Intentional Infliction of Emotional Distress, Negligent Infliction of Emotional Distress, and Slander Per Se.

6. No further proceedings have occurred regarding the Complaint. Defendants have not served answers or any other responsive pleadings to Plaintiff's Summons and Complaint, nor made any appearance, argument or request for relief before the General Court of Justice, Superior Court Division for Guilford County, North Carolina.

7. This Court has original jurisdiction over this action by reason of 28 U.S.C. § 1331 in that Plaintiffs allege a claim arising under federal law, and supplemental jurisdiction by reason of 28 U.S.C. § 1367 in that Plaintiff's state law claims arise out of the same facts and events giving rise to Plaintiff's federal claims.

8. The state court from which this action was removed is within the Court's district and division, therefore venue is appropriate in this division.

9. A copy of all process and pleadings served on Defendants are filed with this notice. (See Exhibit B).

10. Defendants hereby give written notice of the removal to Plaintiff and are filing a copy of this notice of removal with the clerk of court for the Superior Court in the General Court of Justice, Guilford County, North Carolina. (See Exhibit C).

WHEREFORE, Defendants respectfully request that this action proceed in this Court as an action properly received by it.

Dated this 10th day of February, 2023.

Respectfully Submitted,

JACKSON LEWIS P.C.

s/ Kelly A. Walker

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Attorneys for Defendants

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LOWMAN, individually and in her official)
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)
Defendants.)
_____)

Civil Action No.: 2022-CVS-8618

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, the foregoing NOTICE OF REMOVAL was electronically filed with the Clerk of the Court, using the Court's CM/ECF electronic service system, which will send notification of such filing as follows:

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Respectfully Submitted,

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